

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA)	
<u>ex rel.</u> Amanda B. Long,)	
)	
Plaintiffs,)	Civil No. 2:17-cv-179
v.)	
)	
MODERNIZING MEDICINE, INC.,)	
DANIEL CANE, and DR. MICHAEL)	
SHERLING,)	
)	
Defendants.)	

PLAINTIFFS' JOINT STIPULATION OF DISMISSAL

The United States and Relator Amanda B. Long (“Relator”) hereby voluntarily dismiss this action pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and 31 U.S.C. § 3730(b)(1) as follows:

Consistent with the terms of the Settlement Agreement between Defendant Modernizing Medicine, Inc. (“ModMed”), Relator, and the United States, Relator voluntarily dismisses all allegations against ModMed set forth in her Complaint (Dkt 1) and Amended Complaint (Dkt 19) with prejudice. *See* Attachment A. The United States dismisses the allegations against ModMed set forth in its Complaint in Intervention (Dkt 47) with prejudice. All other allegations set forth in Relator’s Complaint and Amended Complaint are dismissed without prejudice as to the United States.

Relator voluntarily dismisses all allegations against Defendants Daniel Cane and Dr. Michael Sherling set forth in her Complaint and Amended Complaint with prejudice. The United States notifies the Court that it withdraws its notice of intervention as to these individuals and consents to their dismissal without prejudice to the United States.

This Notice of Dismissal does not dismiss any claims reserved by the terms of the Settlement Agreement.

Plaintiffs respectfully request that the Court enter an Order in the form of the attached proposed Order.

Dated: November 1, 2022

Respectfully submitted,

UNITED STATES OF AMERICA

NIKOLAS P. KEREST
United States Attorney

By: /s/Lauren Almquist Lively
LAUREN ALMQUIST LIVELY
Assistant U.S. Attorney
P.O. Box 570
Burlington, VT 05402-0570
(802) 951-6725
Lauren.Lively@usdoj.gov

Attorney for the United States

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

EDWARD CROOKE
KELLEY HAUSER
SARAH HILL
Attorneys, Civil Division
United States Department of Justice
175 N Street, NE
Washington, D.C. 20002
Edward.Crooke@usdoj.gov
Kelley.Hauser@usdoj.gov
Sarah.A.Hill@usdoj.gov

RELATOR AMANDA B. LONG

By: /s/
COLETTE MATZZIE
Phillips & Cohen LLP
2000 Massachusetts Ave. NW
Washington, DC 20036
(202) 833-4567
cmatzzie@phillipsandcohen.com